### UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

ANWAR, et al.,

Plaintiffs,

V.

FAIRFIELD GREENWICH LIMITED, et al.,

Defendants.

This Document Relates To: All Actions

## **NOTICE OF MOTION**

PLEASE TAKE NOTICE, that upon the Memorandum of Law in Support of the Fee Defendants' Motion to Dismiss the Second Consolidated Amended Complaint, the annexed declaration of Michael Thorne, Esq., dated December 22, 2009, and the exhibits attached thereto; the annexed affidavit of Gerard Farara and the exhibits attached thereto; and the annexed affidavit of Rod Attride-Stirling and the exhibits attached thereto, Defendants Lourdes

Barreneche, Robert Blum, Cornelis Boele, Yanko Della Schiava, Vianney d'Hendecourt, David Horn, Jacqueline Harary, Harold Greisman, Julia Luongo, Corina Piedrahita, Santiago Reyes, Philip Toub and Maria Teresa Pulido Mendoza (the "Fee Defendants") by their undersigned attorneys, hereby move this Court, before the Honorable Victor Marrero, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, on a date and at a time to be designated by the Court, for an Order: (1) dismissing with prejudice, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6) and the Securities Litigation Uniform Standards Act of 1998, 15 U.S.C. § 78bb(f), all of the claims against the Fee Defendants set forth

in the Second Consolidated Amended Complaint in the above-captioned action; and (2) granting such other and further relief as this Court may deem just and proper.

Dated: New York, New York December 22, 2009

# Respectfully submitted,

#### SIMPSON THACHER & BARTLETT LLP

MORVILLO, ABRAMOWITZ, GRAND, IASON, ANELLO & BOHRER, P.C.

By: /s/ Mark G. Cunha
Mark G. Cunha

Michael J. Chepiga Peter E. Kazanoff 425 Lexington Ave. New York, NY 10017 (212) 455-2000 By: /s/ Edward M. Spiro
Edward M. Spiro
565 Fifth Avenue
New York, NY 10017
(212) 856-9600

Attorneys for David Horn and Robert Blum

Attorneys for Lourdes Barreneche, Yanko Della Schiava, Vianney d'Hendecourt, David Horn, Jacqueline Harary, Harold Greisman, Julia Luongo, Corina Piedrahita, Santiago Reyes, Philip Toub, and Maria Teresa Pulido Mendoza

#### O'SHEA PARTNERS LLP

By: \_\_\_/s/ Sean F. O'Shea Sean F. O'Shea 521 Fifth Avenue, 25<sup>th</sup> Floor New York, NY 10175 (212) 682-4426

Attorneys for Cornelis Boele